

Forty-eighth Legislature

Second Regular Session

COMMITTEE ON NATURAL RESOURCES AND PUBLIC SAFETY

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2254

(Reference to printed bill)

1   Page 1, between lines 1 and 2, insert:

2           "Section 1. Section 41-619.51, Arizona Revised Statutes, is amended to  
3       read:

4           **41-619.51. Definitions**

5           In this article, unless the context otherwise requires:

6           1. "Agency" means the supreme court, the department of economic  
7       security, the department of education, the department of health services, the  
8       department of juvenile corrections, the department of emergency and military  
9       affairs or the board of examiners of nursing care institution administrators  
10      and assisted living facility managers.

11       2. "Board" means the board of fingerprinting.

12       3. "Expedited review" means an examination, in accordance with board  
13      rule, of the documents an applicant submits by the board or its hearing  
14      officer without the applicant being present.

15       4. "Good cause exception" means the issuance of a fingerprint  
16      clearance card to an employee pursuant to section 41-619.55.

17       5. "Person" means a person who is required to be fingerprinted  
18      pursuant to **THIS ARTICLE AND** any of the following:

19           (a) Section 8-105.

20           (b) Section 8-322.

21           (c) Section 8-509.

22           (d) Section 8-802.

23           (e) Section 15-183.

24           (f) Section 15-534.

25           (g) Section 15-1330.

26           (h) Section 15-1881.

27           (i) Section 26-102.

28           (j) Section 36-411.

29           (k) Section 36-425.03.

30           (l) Section 36-446.04.

- 1                             (m) Section 36-594.01.
- 2                             (n) Section 36-594.02.
- 3                             (o) Section 36-882.
- 4                             (p) Section 36-883.02.
- 5                             (q) Section 36-897.01.
- 6                             (r) Section 36-897.03.
- 7                             (s) Section 36-3008.
- 8                             (t) Section 41-1964.
- 9                             (u) Section 41-1967.01.
- 10                            (v) Section 41-1968.
- 11                            (w) Section 41-1969.
- 12                            (x) Section 41-2814.
- 13                            (y) Section 46-141, subsection A.
- 14                            (z) Section 46-321."

15       Renumber to conform

16       Page 4, after line 13, insert:

17                            **"L. A PERSON WHO IS REQUIRED TO OBTAIN A FINGERPRINT CLEARANCE CARD**  
18                            **PURSUANT TO SECTION 41-619.52 IS NOT ELIGIBLE TO RECEIVE A GOOD CAUSE**  
19                            **EXCEPTION PURSUANT TO THIS SECTION.**

20       Sec. 5. Section 41-1758, Arizona Revised Statutes, is amended to read:

21                            **41-1758. Definitions**

22       In this article, unless the context otherwise requires:

23       1. "Agency" means the supreme court, the department of economic  
24                            security, the department of education, the department of health services, the  
25                            department of juvenile corrections, the department of emergency and military  
26                            affairs, **THE BOARD OF FINGERPRINTING** or the board of examiners of nursing  
27                            care institution administrators and assisted living facility managers.

28       2. "Division" means the fingerprinting division in the department of  
29                            public safety.

30       3. "Good cause exception" means the issuance of a fingerprint  
31                            clearance card to an employee pursuant to section 41-619.55.

32       4. "Person" means a person who is required to be fingerprinted  
33                            pursuant to any of the following:

- 34                            (a) Section 8-105.
- 35                            (b) Section 8-322.

- 1                             (c) Section 8-509.
- 2                             (d) Section 8-802.
- 3                             (e) Section 15-183.
- 4                             (f) Section 15-534.
- 5                             (g) Section 15-1330.
- 6                             (h) Section 15-1881.
- 7                             (i) Section 26-102.
- 8                             (j) Section 36-411.
- 9                             (k) Section 36-425.03.
- 10                            (l) Section 36-446.04.
- 11                            (m) Section 36-594.01.
- 12                            (n) Section 36-594.02.
- 13                            (o) Section 36-882.
- 14                            (p) Section 36-883.02.
- 15                            (q) Section 36-897.01.
- 16                            (r) Section 36-897.03.
- 17                            (s) Section 36-3008.
- 18                            (t) SECTION 41-619.52.
- 19                            (u) SECTION 41-619.53.
- 20                            (~~t~~) (~~v~~) Section 41-1964.
- 21                            (~~u~~) (~~w~~) Section 41-1967.01.
- 22                            (~~v~~) (~~x~~) Section 41-1968.
- 23                            (~~w~~) (~~y~~) Section 41-1969.
- 24                            (~~x~~) (~~z~~) Section 41-2814.
- 25                            (~~y~~) (~~aa~~) Section 46-141, subsection A.
- 26                            (~~z~~) (~~bb~~) Section 46-321.

27                           5. "Vulnerable adult" has the same meaning prescribed in section  
28                           13-3623.

29                           Sec. 6. Section 41-1758.01, Arizona Revised Statutes, is amended to  
30                           read:

31                           41-1758.01. Fingerprinting division; duties

32                           The fingerprinting division is established in the department of public  
33                           safety and shall:

34                           1. Conduct fingerprint background checks for persons and applicants  
35                           who are seeking employment with licensees, contract providers and state

1       agencies or seeking employment or educational opportunities with agencies  
2       that require fingerprint background checks pursuant to sections 8-105, 8-322,  
3       8-509, 8-802, 15-183, 15-534, 15-1330, 15-1881, 26-102, 36-411, 36-425.03,  
4       36-446.04, 36-594.01, 36-594.02, 36-882, 36-883.02, 36-897.01, 36-897.03,  
5       36-3008, **41-619.52, 41-619.53**, 41-1964, 41-1967.01, 41-1968, 41-1969 and  
6       41-2814, section 46-141, subsection A and section 46-321.

7           2. Issue fingerprint clearance cards. On issuance, a fingerprint  
8       clearance card becomes the personal property of the cardholder and the  
9       cardholder shall retain possession of the fingerprint clearance card.

10          3. On submission of an application for a fingerprint clearance card,  
11       collect the fees established by the board of fingerprinting pursuant to  
12       section 41-619.53 and deposit, pursuant to sections 35-146 and 35-147, the  
13       monies collected in the board of fingerprinting fund.

14          4. Inform in writing each person who submits fingerprints for a  
15       fingerprint background check of the person's right to petition the board of  
16       fingerprinting for a good cause exception pursuant to section 41-1758.03.

17           5. Administer and enforce this article."

18       Amend title to conform

and, as so amended, it do pass

JERRY P. WEIERS  
Chairman

2254-nrps  
2/20/08  
H:jmb

2254jpw  
02/18/2008  
4:26 PM  
C: MO